

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of
Udo Skerdi

Serial No. 10/009,537

Filing Date March 12, 2002

Attorney Docket No. P-1105

For: EXOTHERMAL FEEDER MASS

: Art Unit: 3641

: Examiner:
Miller, Edward A.

: Confirmation No. 4019

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JAN 07 2004
GROUP 3800

RESPONSE

This document is in response to the Office Action from the United States Patent and Trademark Office dated December 12, 2003 and a further response to the USPTO Office Action dated July 1, 2003.

Applicant's counsel wishes to thank Examiner Miller, for his courteousness along with his suggestions and comments that were made in a conference call on December 16, 2003.

Response to specific comments.

1. In paragraph 1 of the Office Action, the USPTO stated that the Reply to the previous Office Action by applicant was not fully responsive and that the period for response continues from the July 01/02/2004 SDENBOB1 00000066 10009537

1, 2003 Office Action. While the applicant respectfully disagrees with the position that a full response had not been provided, this response is being filed to satisfy all remaining requirements of the USPTO concerning this application. The applicant includes an appropriate extension fee with this Response. Notwithstanding, because the applicant believes that he had previously supplied a true and correct copy of a translation of the application, which is currently being requested, the applicant respectfully requests that this fee be refunded, based on previously filed documents.

2. In paragraph 2 the USPTO raises several questions concerning whether the "application" that was previously submitted was an true and correct translation of the PCT document, WO 00/73236. In a discussion with the Examiner on December 16, 2003, applicant was advised that the "application" which was treated by the United States Patent and Trademark Office as the "original" application had been submitted as part of the Completion of Filing Requirements dated March 12, 2002. Because of questions concerning "new matter" in previous Office Actions, the applicant previously elected and continues to elect to treat the original, unamended translation of the WO 00/73236 application, as filed on March 12, 2002, as "the application" for review by the USPTO. Further, the applicant previously submitted a certificate stating that this translation was a true and correct translation of the priority document. Any other documents that were submitted to the USPTO

should not be considered. Notwithstanding, applicant and applicant's counsel declare that at no time has any document been submitted to the USPTO which was alleged to be a true and correct copy of this application which was not, in fact, a true and correct copy of the application.

The USPTO also requested that this application be resubmitted in double space. Attached as Exhibit A is a true and correct copy of the original translation of the application that was filed on March 12, 2002 in double space for review by the USPTO. The applicant and applicant's counsel assert that no new matter has been introduced into this double space copy of the application. The applicant asserts that this submission satisfies all objections of the USPTO and places before the Examiner a true and correct copy of the application in proper format for review.

3. Extension of Time.

Applicant requests an extension of time for filing this Response. Attached to this Response is a check to extend the time for response to January 2, 2004.